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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Applications in Internet Time, LLC,
 Plaintiff,
 v.
 Salesforce.com, Inc.
 Defendant.

Case No. 3:13-CV-00628-RCJ-CLB

JOINT CASE STATUS REPORT

The parties, through their attorneys of record, hereby submit the following Joint Status Report pursuant to this Court's Order dated February 5, 2020. (Dkt. #117.)

1 1. On June 14, 2016, the Court granted Defendant salesforce.com, inc.'s (Salesforce)
2 motion to stay the action pending *inter partes* review (IPR) filed with the Patent Trial and Appeal
3 Board (PTAB) by RPX Corporation (RPX) challenging the validity of the patents-in-suit. (Dkt.
4 #82)

5 2. On December 28, 2016, the PTAB entered final written decisions (FWDs) in the IPR
6 proceedings concluding that the challenged claims of the two patents in suit are unpatentable.

7 3. On July 9, 2018, after Plaintiff Applications in Internet Time, LLC (AIT) appealed
8 the PTAB's final written decisions, the Court of Appeals for the Federal Circuit (CAFC) vacated
9 the FWDs and remanded to the PTAB.

10 4. On October 30, 2018, the CAFC issued its formal mandate to the PTAB in
11 accordance with its July 9, 2018 judgment.

12 5. On April 25, 2019, with all briefing complete, the PTAB held an oral hearing on
13 whether Salesforce is a real party-in-interest or privy of RPX.

14 6. On September 9, 2020, the Patent Trial and Appeal Board ("PTAB") issued a
15 decision terminating RPX's IPR proceedings because it determined Salesforce was a real party in
16 interest to the IPRs and, accordingly, that RPX's petitions were time-barred under 35 U.S.C. §
17 315(b). (Dkt. #127, Ex. B.)

18 7. On November 2, 2020, AIT filed a Motion to Lift Stay in view of the PTAB's
19 termination decision. (Dkt. #130.) Salesforce filed an opposition to AIT's motion on November 16,
20 2020 (Dkt. #134) and AIT filed a reply on November 23, 2020 (Dkt. #136). AIT's Motion to Lift
21 Stay has been fully briefed and is currently before the Court.

22 8. On November 30, 2020, AIT filed a Notice of Supplemental Authority to notify the
23 Court that the PTAB had denied RPX's request for rehearing of the termination decision. (Dkt.
24 #137.) Salesforce filed a response to AIT's notice on December 4, 2020 (Dkt. #138) and AIT filed
25 a reply on December 7, 2020 (Dkt. #139).

26 9. On January 7, 2021 AIT filed a request for a status conference pursuant to L.R. 16-
27 2 in view of the PTAB's termination of the IPR proceedings. (Dkt. #141.)

28

1 DATED: This 11th day of January 2021.

2
3 /s/ Andrea Pacelli

4 Andrea Pacelli, Esq. (*pro hac vice*)

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14 DATED: This 10th day of January 2021.

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17 /s/ Sam Stake

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